

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

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LORENZO SOLVANO BALLI,

Plaintiff,

v.

ORDER

10-cv-67-bbc

WISCONSIN DEPARTMENT OF CORRECTIONS;
RICK RAEMISCH; AMY SMITH;
JIM GREER; DAVID BERNETT;
GREGORY GRAMS; MARC CLEMENTS;
JANEL NICKLE; DYLAN RADTKE;
LIEUTENANT BERKEBILL; LIEUTENANT LANE;
LIEUTENANT KELLER; MARTHA BREEN;
KURT SCHWEBKE; ANDREA NELSON;
RYAN TOBIASZ; LORI ALSUM;
DAILIA SUILENE; STEVE HELGERSON, RN;
NANCY HAHNISCH, RN; DARCI BURRESON, RN;
KIM CAMPBELL, RN; SHAWNA ELDER-HALL, NA;
NURSE JOHN DOES 1 AND 2;
NURSE JANE DOES 1 AND 2;
DAVID LAPINSKI; MARY LIESER;
SERGEANT KOTTKA; SERGEANT MORRISON,
SERGEANT JOHN DOES 1 AND 2;
PRISON GUARD HOOPER;
PRISON GUARD SCHREFNGAEL;
PRISON GUARD WITTERHOLT;
PRISON GUARD PULVER; PRISON GUARD ARMSON,
PRISON GUARD ISSACSON,
PRISON GUARD POPE, PRISON GUARD SWENSON,
PRISON GUARD TRIMBLE,
JOHN DOES 1 THROUGH 20 (All John and
Jane Does shall be named after discovery by
Amended Complaint);

All Defendants are sued in their individual and official capacities;

Defendants.

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In a March 25, 2010 order, I stayed proceedings in this case in order to locate a lawyer to represent plaintiff Lorenzo Balli for the limited purposes of determining (1) whether plaintiff wishes to continue with the case; (2) if he does, which claims he wishes to pursue under this case number; and (3) whether the lawyer and plaintiff can agree to have the lawyer represent plaintiff beyond these limited investigatory purposes. As I stated in the March 25 order, “The purpose of obtaining counsel at this point is to choose claims that will fit into one lawsuit that plaintiff can pursue with the assistance of counsel.”

Emily J. Lee and Sarah C. Walkenhorst, members of the Wisconsin Bar, have agreed to represent plaintiff for these limited purposes with the understanding that they will serve with no guarantee of compensation for their services. I will give attorneys Lee and Walkenhorst until June 21, 2010 to notify the court (1) whether plaintiff wishes to work with them; (2) if he does, which claims he wishes to pursue under this case number; and (3) whether they and plaintiff agree to their continued representation for the remainder of the case (the likely next step would be for plaintiff to submit an amended complaint).

I note that plaintiff is not required to work with these lawyers if he chooses not to. However, if he does choose to work with them, he should allow them to exercise their

professional judgment to determine what matters are appropriate to bring to the court's attention and what motions and other documents are appropriate to file. Plaintiff should be prepared to accept his lawyers' strategic decisions even if he disagrees with some of them. In addition, I emphasize that for now, attorneys Lee and Walkenhorst have been appointed for only these limited investigative purposes; they are not obligated to represent plaintiff for the remainder of the case unless they choose to.

ORDER

IT IS ORDERED that

1. Emily J. Lee and Sarah C. Walkenhorst are appointed to represent plaintiff in this case for the limited purposes stated above.

2. Attorneys Lee and Walkenhorst have until June 21, 2010 to notify the court (1) whether plaintiff wishes to work with them; (2) if he does, which claims he wishes to pursue under this case number; and (3) whether they can agree on their continued representation for the remainder of the case.

Entered this 24th day of May, 2010.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge